

# PATENT COOPERATION TREATY

**PCT**

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

REC'D 17 OCT 2005

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference WO6821-Aa-td	<b>FOR FURTHER ACTION</b> See Form PCT/IPEA/416	
International application No. PCT/NL2004/000776	International filing date (day/month/year) 04.11.2004	Priority date (day/month/year) 04.11.2003
International Patent Classification (IPC) or national classification and IPC B21D22/14		
Applicant MASSEE, Johan		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of 2 sheets, as follows:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</li> <li><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</li> </ul> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (Indicate type and number of electronic carrier(s)), containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Box No. I Basis of the opinion</li> <li><input type="checkbox"/> Box No. II Priority</li> <li><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li><input type="checkbox"/> Box No. IV Lack of unity of invention</li> <li><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li><input type="checkbox"/> Box No. VI Certain documents cited</li> <li><input type="checkbox"/> Box No. VII Certain defects in the international application</li> <li><input type="checkbox"/> Box No. VIII Certain observations on the international application</li> </ul>		
Date of submission of the demand 05.09.2005	Date of completion of this report 18.10.2005	
Name and mailing address of the International preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer  Ris, M  Telephone No. +31 70 340-2363	



**INTERNATIONAL PRELIMINARY REPORT  
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**Box No. I Basis of the report**

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
  - This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
    - international search (under Rules 12.3 and 23.1(b))
    - publication of the international application (under Rule 12.4)
    - international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements\*** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

**Description, Pages**

1-9 as originally filed

**Claims, Numbers**

1-8 received on 06.09.2005 with letter of 05.09.2005

**Drawings, Sheets**

1/7-7/7 as originally filed

a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3.  The amendments have resulted in the cancellation of:

- the description, pages
- the claims, Nos. 9,10
- the drawings, sheets/figs
- the sequence listing (*specify*):
- any table(s) related to sequence listing (*specify*):

4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- the description, pages
- the claims, Nos.
- the drawings, sheets/figs
- the sequence listing (*specify*):
- any table(s) related to sequence listing (*specify*):

\* If item 4 applies, some or all of these sheets may be marked "superseded."

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**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes:	Claims	1-8
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-8
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-8
	No:	Claims	

**2. Citations and explanations (Rule 70.7):**

**see separate sheet**

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**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

The document WO-A-02/053307 (D1) is regarded as being the closest prior art to the subject-matter of independent claims 1 and 5, and shows a method and forming machine for deforming a workpiece as per the preamble of these claims.

D1 discloses furthermore the feature in the characterising part of claim 1, that values of one or more coordinates of the position of the extreme edge are measured during the deforming process, and the feature in the characterising part of claim 5, that the forming machine is furthermore provided with at least one detector (D1, see reference numbers 46, 48, 50, 52) for measuring values of one or more coordinates of the position of the extreme edge of the workpiece.

The subject-matter of claims 1 and 5 differs from this known method and machine in the remaining features indicated in the characterising portions of claims 1 and 5.

The subject-matter of claims 1 and 5 is therefore new (Article 33(2) PCT).

The effect of these features is that workpieces having a complex shape can be formed and indentations can be avoided.

The problem to be solved by the present invention may thus be regarded as to overcome the limitation to the production of cylindrical products as shown in D1 (increasing product range).

The solution to this problem proposed in claims 1 and 5 of the present application is considered as involving an inventive step (Article 33(3) PCT).

The specific ways of changing the deforming process as indicated in claims 1 and 5 are not disclosed or suggested in D1 or any other document cited in the search report.

Claims 2-4 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Claims 6-8 are dependent on claim 5 and as such also meet the requirements of the PCT

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with respect to novelty and inventive step.